

is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such 30-minute periods.

Respectfully submitted,

/s/Chet Brooks

Chairman of the Caucus

/s/O. H. Harris

Secretary of the Caucus

The resolution was read and was adopted viva voce vote.

SENATE NOTIFIED

A Committee from the House of Representatives appeared at the Bar of the Senate and Representative Finnell for the Committee notified the President and Members of the Senate that the House was organized and ready to transact business.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Parker and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Education might consider S.B. 1 and other proposals relating to public education at 3:00 p.m. today.

MEMORIAL RESOLUTION

S.R. 2 - By Parker: In memory of Reece Lin Coker.

RECESS

On motion of Senator Brooks, the Senate at 2:18 p.m. took recess until 11:00 a.m. tomorrow.

FIRST DAY

(Continued)

(Thursday, May 3, 1990)

AFTER RECESS

The Senate met at 11:00 a.m. and was called to order by the President.

SENATOR ANNOUNCED PRESENT

Senator Glasgow, who had previously been recorded as "Absent-excused," was announced "Present."

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.C.R. 2 by Montford

Jurisprudence

Granting Stella Maurine Pounds Selman, Diane Lee Pounds Gossett, Patricia Conover, Gene Hickson and wife, Carol Hickson, Jerry D. Holmes and wife, Joan Holmes, Ronald S. Lewis and wife, Cindy Rodgers Lewis, and Charlie Therwhanger, and wife, Debbie Therwhanger, permission to sue the State of Texas and the Veterans' Land Board.

S.C.R. 3 by Montford Jurisprudence
Granting Kathleen A. Dietz permission to sue the State of Texas and Texas Tech University.

S.J.R. 4 by Glasgow State Affairs
Proposing a constitutional amendment relating to the composition of certain courts and to the election of justices and judges of those courts and certain other courts from single-member districts or divisions.

S.J.R. 5 by Glasgow State Affairs
Proposing a constitutional amendment to revise the provisions governing senate and house redistricting.

S.B. 21 by Henderson, Brooks, Green, Intergovernmental Relations
Brown, Whitmire
Relating to requiring an election before the adoption or implementation of a rail plan by certain metropolitan rapid transit authorities.

S.B. 22 by Santiesteban Economic Development
Relating to the state allocation and reservation system for private activity bonds.

S.B. 23 by Sims Administration
Relating to a defense to the prosecution of the offense of cruelty to animals.

S.B. 24 by Sims Health and Human Services
Relating to the low-level radiation waste disposal impact assistance allocation.

S.B. 25 by Sims Economic Development
Relating to an employer's chargeback liability for unemployment compensation benefits based on separations from employment caused by certain natural disasters.

S.B. 26 by Sims Health and Human Services
Relating to the matching fund requirement for grants from the municipal solid waste management planning fund.

S.B. 27 by Sims Administration
Relating to the definitions of pen-reared birds and depredating animals.

S.B. 28 by Henderson Economic Development
Relating to the Texas Department of Commerce.

S.B. 29 by Henderson Intergovernmental Relations
Relating to the designation of enterprise zones.

S.B. 30 by Leedom Education
Relating to public education; making appropriations.

S.B. 31 by Krier Economic Development
Relating to the use of a caterer's permit in a marine park and to retail licenses at certain other entertainment facilities.

S.B. 32 by Glasgow Jurisprudence
Relating to filing fees, other fees, and costs for certain types of lawsuits; making an appropriation to the attorney general.

S.B. 33 by Brown Finance
Relating to exempting from ad valorem taxation certain property of organizations of members or veterans of the armed forces.

SENATE RESOLUTION 3

Senator Truan offered the following resolution:

WHEREAS, Each year on May 5 cities and towns across Texas and Mexico put on a festive air to celebrate the victory of the Mexican Army against the French at the Battle of Puebla 128 years ago; and

WHEREAS, With lively mariachis, colorful Mexican ballet folklorico, arts and crafts, coronations and dances, parades, menudo cookoffs, and delicious foods, Cinco de Mayo honors Texas-born General Ignacio Zaragoza de Seguin, the 33-year-old who commanded the Mexican Army on that fateful day; and

WHEREAS, Aware that the French Army was marching toward Mexico City, General Zaragoza decided to make a stand at the City of Puebla, the last defensible city en route to the capital; and

WHEREAS, Although the French attacked three times, each time they were thrown back by the Mexican defenders until French commander General Lorencez ordered a retreat; and

WHEREAS, As a result of this battle the people of Mexico were inspired to shape their own destiny and to unite as a nation, eventually bringing to an end foreign intervention; and

WHEREAS, Goliad, Texas, the birthplace of Ignacio Zaragoza de Seguin, has dedicated a state park and historic site in honor of the military hero whose poorly equipped and badly outnumbered army defeated an elite French force; and

WHEREAS, Many Mexican-Americans whose ancestors came from Mexico proudly join in the celebration of freedom with friends and neighbors in both the United States and Mexico; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, 5th Called Session, hereby commemorate the historic occasion celebrated each year on Cinco de Mayo and recognize this important event which observes the significant victory of the Mexican people in their struggle for freedom; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for the government of Mexico as a token of the goodwill and friendship of the people of Texas.

TRUAN
ARMBRISTER
BARRIENTOS
SANTISTEBAN
TEJEDA
URIBE
ZAFFIRINI

The resolution was read and was adopted viva voce vote.

GUESTS PRESENTED

At the President's request, Senators Truan, Armbrister and Uribe escorted Ms. Louisa Maria Leal, Consul General of Mexico, to the President's Rostrum.

The President presented an enrolled copy of S.R. 3 to Ms. Leal as the Senate welcomed her as a guest today.

**ELECTION OF PRESIDENT PRO TEMPORE
SEVENTY-FIRST LEGISLATURE, FIFTH CALLED SESSION**

The President announced that the time had arrived for the election of the President Pro Tempore, 71st Legislature, 5th Called Session.

On motion of Senator Brooks, Senator Bob McFarland of Arlington was elected by acclamation to serve and was administered the Oath of Office by the President.

CAPITOL PHYSICIAN

Senator Truan was recognized and presented Dr. Ronald Munson of Mathis as the "Doctor for the Day."

The Senate welcomed Dr. Munson, accompanied by his wife, Debby, and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

MEMORIAL RESOLUTIONS

S.R. 6 - By Parker: Joining the members of the First United Pentecostal Church of Orange in commemorating the life of Alma Maude Gamblin who served as an inspiration and an example to others.

S.R. 7 - By Truan: In memory of Carlos "Chale" P. Truan of Kingsville.

S.R. 19 - By Truan: In memory of Velia J. De Leon of Corpus Christi.

S.R. 20 - By Truan: In memory of Norman Utter of Corpus Christi.

S.R. 21 - By Truan: In memory of Maria Elena Salinas of Kingsville.

CONGRATULATORY RESOLUTIONS

S.R. 4 - By Barrientos: Honoring the long and productive career of Gary Hughes and extending to him all best wishes in his new position.

S.R. 5 - By Parker: Joining with the citizens of Orange in congratulating the Reverend William Earl Gamblin and commending him for his numerous accomplishments.

S.R. 8 - By Truan: Extending congratulations to Coach Casper Wenzel for his 15 years of exceptional service to the students of Incarnate Word Academy High School in Corpus Christi.

S.R. 9 - By Truan: Recognizing and congratulating the United States Coast Guard for its service on the occasion of its 200th anniversary.

S.R. 10 - By Truan: Commending Angelica Tovar for her superb philanthropic endeavors on behalf of others.

S.R. 11 - By Truan: Commending PADRES for its efforts to involve families in the war against drug and alcohol abuse to promote a drug-free environment, and also commending the winning family and runners-up for setting a splendid example of community spirit on behalf of the citizens of their state.

S.R. 12 - By Truan: Extending congratulations to the Jim Wells County 4-H Club for their excellent showing at the 41st Annual Stock Show and Rodeo held in San Antonio.

S.R. 13 - By Truan: Extending congratulations to Becky Moore on receiving first place in the Macmillan/McGraw-Hill School Publishing Company Teacher Contest.

S.R. 14 - By Truan: Commending the work and dedication of Dr. Frank J. Holzapfel in improving the health and vision of his patients.

S.R. 15 - By Truan: Extending congratulations to the Reverend Richard Goodwill of Bishop on being awarded the Outstanding Newcomer Award.

S.R. 16 - By Truan: Honoring Aline Davis of Alice for her outstanding contributions to her community and her fellowman.

S.R. 17 - By Truan: Extending congratulations to the Reverend Keith Bellamy of Bishop on being named outstanding citizen for 1989 by the Bishop Chamber of Commerce.

S.R. 18 - By Truan: Extending congratulations to Mr. and Mrs. Dempsey Barr on their 50th wedding anniversary.

S.R. 22 - By Truan: Paying tribute to Eduardo Lopez on the occasion of his retirement from 24 years of distinguished public service as Director of the Kleberg County Welfare Department.

S.R. 23 - By Ellis: Commending members of the National Youth Achievers from the Houston area on their accomplishments through the program.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 11:26 a.m. adjourned until 11:00 a.m. Monday, May 7, 1990.

SECOND DAY (Monday, May 7, 1990)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Ellis, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Whitmire, Zaffirini.

Absent-excused: Leedom.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Heavenly Father, on this the beginning of a new week of work we give thanks for this season of new life and fresh growth. We pray that we may grow in faith and be favored with Your grace. Give inspiration and vision to these of the Senate to challenge the yet undone and give fully of themselves to accomplish that which is before them.

In Jesus' name we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 3, 1990, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Leedom was granted leave of absence for today on account of important business on motion of Senator Brooks.

REPORTS OF STANDING COMMITTEES

Senator Sims submitted the following report for the Committee on Administration: